

3 June 1975

MEMORANDUM FOR:

Chief, DDI Executive Staff

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SUBJECT : Comment on the Draft Security
Classification Act of 1975

1. I have reviewed the summary and draft bill concerning the classification of documents dealing with intelligence, national defense and foreign policy. In general, there is little we can say at present about the proposed organization, manning and mechanics described in the bill beyond the observation that as written they will be cumbersome and expensive.

2. However, we are concerned that the bill provide adequate protection for elements of the intelligence process which we consider vital and potentially vulnerable. As presently written, the bill does not do this. I call your attention to a serious error in the wording of the bill which we believe requires correction.

3. Specifically, the terms "intelligence gathering" or "intelligence gathering operations" should be deleted. These terms are inaccurate and objectively meaningless. If retained and used in the manner they are generally used by the news media, members of Congress, and others, this bill would literally provide protection only for some US intelligence sources but not for US intelligence methods. As pointed out in our earlier discussions, "Intelligence" is the product which results from the operation of the intelligence "process" or "cycle". This "process" or "cycle" includes both the collection or "gathering" of information (the raw-material of intelligence) and the subsequent, processing, collection, and analysis of this information.

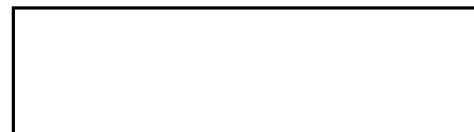
4. To best protect that which is sensitive and vulnerable in the intelligence process, I recommend that the above terms be replaced and the relevant paragraphs be reworded in a manner similar to the following:

Paragraph (d) "CRITERIA FOR CLASSIFICATION MARKINGS", (1), (D) "it contains information on the operation and capabilities of sensitive sources and methods employed in the production of foreign intelligence by the United States, or"

Paragraph (d), (4), "Official information furnished to the United States by a foreign government, by an international organization, or information received by an agency as part of its intelligence production process may be marked....or in the case of information obtain by an agency as a result of its intelligence activities, depending..."

Paragraph (e) "DOWNGRADING AND DECLASSIFICATION OF OFFICIAL INFORMATION," (8), (B), it contains information the unauthorized disclosure of which...vital to our national welfare; or"

(C) it contains information the unauthorized disclosure of which would compromise an intelligence production capability or jeopardize the life or effectiveness of an agent, source, or collection means engaged in covert activities vital to our national welfare; or



Chief, Requirements and
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